

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
WINSTON-SALEM DIVISION**

In Re:

FRADY, KELLY SCOTT  
FRADY, TANYA CARRICK  
PO BOX 1781  
LEXINGTON, NC 27293

Debtor(s).

Case No. B-10-51653 C-7W

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**TRUSTEE'S OBJECTION TO MOTION  
FOR RELIEF FROM STAY FILED BY BANK OF NORTH CAROLINA AS TO 603 2<sup>ND</sup>  
AVENUE, 626 LAKE STREET AND 17.54 ACRES OFF OF DOGWOOD ROAD**

NOW COMES W. Joseph Burns, Attorney for Trustee, and states:

1. This case was filed under Chapter 7 of the Bankruptcy Code on August 29, 2010.
2. W. Joseph Burns is the duly qualified and acting Trustee.
3. Bank of North Carolina, by and through its attorney of record Alan B. Powell, filed a MOTION FOR RELIEF FROM THE SECTION 362 AUTOMATIC STAY OR, IN THE ALTERNATIVE, ADEQUATE PROTECTION on November 8, 2010 regarding a Promissory Note and Deed of Trust recorded in Book 1724, Page 1794, Davidson County Registry, secured by 603 2<sup>nd</sup> Avenue, 626 Lake Street and 17.54 acres off of Dogwood Road, Lexington, North Carolina
4. The Notice of Motion requires that any objection to the Motion be filed on or before November 21, 2010.
5. The Trustee objects to Bank of North Carolina's Motion on the grounds that there is substantial equity in the properties.

WHEREFORE, the undersigned prays that the Court:

1. Deny the Motion for Relief from Stay;
2. Allow the Trustee the time necessary to investigate the property and determine if there is equity to benefit the estate.

Dated: November 17, 2010

/s/ W. Joseph Burns  
W. Joseph Burns  
Attorney for Trustee  
N.C. State Bar No. 6062  
P O Box 21433  
Winston-Salem, NC 27120-1433  
Phone: (336) 397-0036

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing TRUSTEE'S OBJECTION TO MOTION FOR RELIEF FROM STAY FILED BY BANK OF NORTH CAROLINA AS TO 603 2<sup>ND</sup> AVE., 626 LAKE ST. AND 17.54 ACRES OFF OF DOGWOOD RD. in regard to the above-captioned case was served on all proper parties by electronic means and/or by depositing said copy in the United States mail, Winston-Salem, North Carolina, First Class, postage prepaid and addressed as follows:

MICHAEL D. WEST, ESQ.  
BANKRUPTCY ADMINISTRATOR  
P O BOX 1828  
GREENSBORO NC 27402

KELLY FRADY  
TANYA FRADY  
PO BOX 1781  
LEXINGTON, NC 27293

DONALD LOUIS COOMES, ESQ,  
DONALD L. COOMES, PLLC  
1911 KELLER ANDREWS RD.  
SANFORD, NC 27331-0141

ALAN B. POWELL, ESQ.  
P. O. BOX 1550  
HIGH POINT, NC 27261

Dated: November 17, 2010

/s/ W. Joseph Burns

W. Joseph Burns, Attorney for Trustee  
N.C. State Bar No. 6062  
P O Box 21433, Winston-Salem, NC 27120-1433  
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